

RECEIVED

FEB 14 2003 10:49AM

GRAY CARY ST

NO. 360 P. 5/18

PATENT

Attorney Docket No.: JHU1400-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TECH CENTER 1600/2900
 FEB 14 2003
 Applicant: Harry C. Dietz
 Application No.: 09/163,289
 Filed: September 29, 1998
 Title: DELIVERY CONSTRUCT FOR ANTISENSE NUCLEIC ACIDS
 AND METHODS OF USE

Art Unit: 1635
 Examiner: M. Schmidt

Commissioner for Patents
 Washington, D.C. 20231

RESPONSE

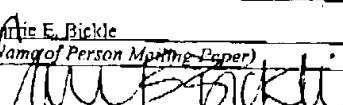
Sir:

Responsive to the Office Action mailed July 30, 2002 (Paper No. 24), please consider the following amendments and remarks.

In the Claims:

Please enter the following rewritten claims:

1. (Three times amended) A nucleic acid construct for suppressing gene expression comprising in 5' to 3' orientation:
 - a 5' stem loop structure;
 - an antisense nucleic acid; and
 - a 3' stem loop structure, wherein the antisense nucleic acid is capable of having activity and is flanked by the stem loop structures and with the proviso that the antisense nucleic acid is not within the 5' or 3' stem loop structures.
2. (Twice Amended) The nucleic acid construct of claim 1, wherein the stem loop structures are U snRNA structures.

CERTIFICATION UNDER 37 CFR §1.8	
I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date, December 30, 2002, in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231.	
 <small>Carrie E. Bickle (Name of Person Mailing Paper)</small>	<small>December 30, 2002 (Date)</small>

Gray Cary\GT\6323175 2
104659-157060